

VON BORSTEL
Appl. No. 09/763,955
June 22, 2007

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REMARKS/ARGUMENTS

Reconsideration of this application is requested. Claims 48-50, 55, 62-64 and 68 are in the case.

I. THE INTERVIEWS

At the outset, the undersigned wishes to thank the Examiner (Mr. Lewis) for kindly discussing this case with the undersigned. The interviews were held on June 6 and June 22, 2007. During the interview held on June 6, 2007, the Examiner suggested that Applicants present a proposed set of limited claims to more clearly obviate the outstanding obviousness rejection. A set of proposed amended claims was prepared and forwarded by facsimile to the Examiner for review on June 7, 2007. That set of proposed amended claims was discussed during the interview on June 22, 2007, during which the Examiner indicated that the proposed amended claims, if formally submitted, would obviate the outstanding obviousness rejection. The Examiner did not commit as to allowability since the customary updating search will have to be carried out. The Examiner advised that should a further rejection is made, it would be via a new non-final action.

Based on the outcome of the interview, the set of proposed amended claims discussed with the Examiner is submitted herewith. The number of claims has been reduced and no new matter is entered. Entry and favorable consideration of the claims are accordingly respectfully requested.

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II. OBVIOUSNESS-TYPE DOUBLE PATENTING

Claims 54-59 stand provisionally rejected on obviousness-type double patenting grounds as allegedly unpatentable over claims 31, 32 and 38-41 of copending Application Serial No. 09/930,494. Applicants will consider filing a Terminal Disclaimer when otherwise allowable subject matter is indicated.

III. THE OBVIOUSNESS REJECTION

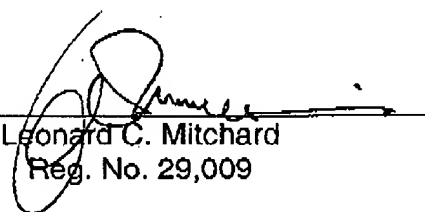
Claims 48-59 and 62-68 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Page et al (1997) in combination with U.S. 6,316,426 to von Borstel et al. Based on the June 22, 2007 interview, during which the Examiner indicated that the attached claims define over Page et al., it is believed that the obviousness rejection should be withdrawn. Such action is respectfully requested.

Favorable action is awaited.

Respectfully submitted,

NIXON & VANDERHYE P.C.

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